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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DINH, TUAN T

ART UNIT PAPER NUMBER

2827

DATE MAILED: 04/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,442

Applicant(s)

RUQUE, CHRISTIAN

Examiner

Tuan T Dinh

Art Unit

2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on 27 December 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, lines 6-7, it is unclear. What does applicant meant of "said faces being electrically conductive?" Does applicant meant of "said faces formed to be electrical conductive?" since "said faces" are defined walls of the device and formed a housing for a drawer inserted into the device. What does applicant would be constructed the hosing to be electrical conductive?, and how users could be used when they do assembly.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Aziz et al. (U. S. Patent 5,949,645).

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As best understood to claim 1, Aziz discloses a device (10-figure 1, column 4, line 58) as shown in figures 1-21 for electromagnetic protecting a drawer (20, column 4, line 66) equipped with electronic cards (82, 84, column 7, line 41), said drawer (20) for being inserted into a drawer receiving structure (see figure 2) through an opening provided in a front face (see figure 2) of said drawer receiving, said device comprising:

six faces (see figures 2 and 8) distributed around the cards (82, 84), wherein one of said faces of said device is formed by the front face (see figure 2) of said drawer, while the five other faces of the device are formed by side faces (14), a top (18) and a bottom faces (16, column 4, lines 64-65) and a back face (not shown) of said drawer receiving structure.

As to claims 4 and 6, Aziz discloses a device as shown in figures 2 and 8 wherein said top and bottom faces (18, 16) are provided with openings for allowing air to flow through.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 2-3, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aziz et al. (U. S. Patent 5,949,645) in view of Anderson et al (U. S. Patent 6,209,842).

As to claim 2, Aziz does not teach resilient electrical means for providing electrical connection between said front face of said drawer and said drawer receiving-structure.

Anderson discloses a device as shown in figures 4-5 comprising resilient electrical connection means (405, column 3, line 65).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use resilient electrical means as taught by Anderson to employ the device of Aziz in order to reduce vibration transmitted when a module inserted into a chassis of a device.

As to claim 3, Anderson discloses a device as shown in figures 4-5 wherein said resilient means (405) are formed by electrically-conductive springs disposed on the edges of the opening provided in the front face of the structure.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use resilient means are formed by electrically-conductive springs as taught by Anderson to employ the device of Aziz in order to provide an easy snap insertion of the module inserted into the device.

Regarding claim 9, Aziz discloses all of the limitations of the claimed invention, except for an intermediate plate disposed between two adjacent drawers.

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Anderson shows an intermediate plate disclosed in figure 1 to separate between two modules.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use an intermediate plate as taught by Anderson to employ the device of Aziz in order to protect against an EMI from the modules when inserted into the device.

7. Claims 5, and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aziz in view of Porter (U. S. Patent 5,808,866).

As to claim 5, Aziz discloses a device as shown in figures 8-9 wherein said drawer-receiving structure is provided with connectors (190, 186-figure 8) suitable for cooperating with connectors (178, 190-figure 9) secured to the cards. Aziz does not show said back face is a grating with openings for passing cables.

Porter discloses a device as shown in figures 2 and 5 wherein a back face (24), of a drawer-receiving structure is provided with connectors (30) suitable for cooperating with connectors secured to the cards (31). The back face is a grating provided with openings for passing cables (42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Aziz provide the back face having openings for passing cables as taught by Porter in order to make an electrical communication connection to another source.

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As to claim 7, Porter discloses a device as shown in figure 2 wherein the sum of the areas of the openings in each of the top and bottom faces (27, 28) is approximately equal to the area through which air can pass vertically in the drawer.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Aziz to provide the areas of the openings in each of the top and bottom faces is approximately equal to the area through which air can pass vertically in the drawer as taught by Porter in order to permit a large volumetric flow of air sufficiency to cool the device.

As to claim 8, Aziz and Porter do not teach the maximum dimension of the openings is considerably smaller than the minimum wavelength of the electromagnetic waves from which the drawer is to be isolated. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a size of the openings and compare with wavelength of the electromagnetic waves. Since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch. 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Allowable Subject Matter

8. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3431 for regular communications and 703-308-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TD
March 10, 2002


Tuan T Dinh
Primary Examiner